

MEMO ENDORSED

BRAFMAN & ASSOCIATES, P.C.

ATTORNEYS AT LAW
256 FIFTH AVENUE, 2ND FLOOR
NEW YORK, NEW YORK 10001
TELEPHONE: (212) 750-7800
FACSIMILE: (212) 750-3906
E-MAIL: ATTORNEYS@BRAFLAW.COM

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BENJAMIN BRAFMAN

MARK M. BAKER
OF COUNSEL

MARC A. AGNIFILO
OF COUNSEL

ZACH INTRATER
OF COUNSEL

ANDREA L. ZELLAN
JACOB KAPLAN
TENY R. GERAGOS
ADMITTED IN NY & CA
STUART GOLD

April 27, 2021

VIA ECF

Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007
ALCarterNYSDChambers@nysd.uscourts.gov

Re: United States v. Jacobs, 20 CR 660 (ALC)

Dear Judge Carter:

We write the Court requesting, respectfully, two modifications of Mr. Jacobs's pretrial release conditions.

First, we request a modification of Mr. Jacobs's travel restrictions to permit travel to the District of Connecticut and the Eastern District of Pennsylvania. As the Court may know from prior applications, Mr. Jacobs has a business installing and servicing credit card processing machines. He has both current and potential clients in Connecticut and eastern Pennsylvania, and would like to travel to the two Districts listed above to conduct meetings and install credit card readers in furtherance of his business. Mr. Jacobs has taken several trips since the origination of this case and has always returned within the allotted time and has otherwise adhered scrupulously to his conditions of release.

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Second, Mr. Jacobs would like permission to apply for a new passport. Mr. Jacobs's passport was in the possession of undersigned counsel (specifically, in counsel's backpack) when the passport was stolen from counsel's home during a burglary in the early morning hours of March 31, 2021. (Counsel had taken possession of the passport, with the knowledge of Pretrial Services, to allow Mr. Jacobs to renew his driver's license.) Attached to this letter is a redacted version of the New York Police Department report filed after the burglary was discovered. Mr. Jacobs would like to obtain a new passport, and asks the Court to modify the condition of release prohibiting him from obtaining new travel documents for this one purpose.

We have communicated with the Government (AUSAs Samuel Raymond and David Felton) and Pretrial Services (Officer Dominique Jackson). The Government and Pretrial have each graciously consented to these requests. Thank you for your consideration.

Respectfully submitted,

s/


Marc Agnifilo

Zach Intrater

cc: AUSAs Samuel Raymond & David Felton (via email)
Pretrial Services Officer Dominique Jackson (via email)

The application is **GRANTED**.
So Ordered.


4/28/21

 New York City Police Department OmniForm System - Complaints					
Report Cmd: 070	Jurisdiction: N.Y. POLICE DEPT	ICAD#:	Record Status: Final, No Arrests	Complaint #: 2021-070- XXXX	No Other Legacy Blue Versions
Occurrence INSIDE OF Location: XXXXXX Name Of Premise: Premises Type: RESIDENCE-HOUSE Location Within Premise: Visible By NO Patrol?:		NYC Parks Dept. Property Did this offense occur on NYC Parks Dept. Property? NO Command: NYC Parks Dept. Property Name:		Precinct: 070 Sector: D Beat: 19 Post:	
Occurrence From: 2021-03-31 00:00 WEDNESDAY Occurrence thru: 2021-03-31 05:30 Reported: 2021-03-31 16:00 Complaint Received: RADIO					Aided # Accident # O.C.C.B. #
Classification: BURGLARY Attempted/Completed: COMPLETED Most Serious Offense Is: FELONY PD Code: 223 BURGLARY, RESIDENCE, NIGHT PL Section: 14025 Keycode: 107 BURGLARY			Case Status: OPEN Unit Referred To: P.D.U. Clearance Code: Log/Case #: 0 Clearance Arrest Id: Clearance AO Cmd: File #: 7 Prints Requested? YES		
Confirmed Shots Fired? NO					
Possible Hate Crime ? NO					
Is This Related To Stop And Frisk Report NO		SQF Number: 0000-000-00000	Was The Victim's Personal Information Taken Or Possessed? NO		Was The Victim's Personal Information Used To Commit A Crime? NO
Gang Related? NO	Detective Borough Wheel Log #:	Name Of Gang:			Child Abuse Suspected? NO
DIR Required? NO		Child in Common? NO	Intimate Relationship? NO		Officer Body Worn Camera: NO
If Burglary: Forced Entry? NO Structure: BLDG. RESIDENTIAL Entry Method: DOOR Entry Location: REAR OF		Alarm: Bypassed? NO Comp NO Responded?: Company Name/Phone: -- Crime Prevention Survey YES Requested?: Complaint/Reporter Present?: YES		If Arson: Structure: Occupied?: Damage by:	
Taxi Robbery: Partition Present: NO Amber Stress Light Activated: NO Method of Conveyance: Location of Pickup:					
Supervisor On Scene - Rank / Name / Command : SGT XXXXXX 070		Canvas Conducted: YES		Translator(if used):	
NARRATIVE: AT TPO UNKNOWN PERP DID ENTER ABOVE LOCATION WITHOUT PERMISSION OR AUTHORITY TO DO SO AND DID REMOVE A LAPTOP, BACKPACK AND PASSPORT. UNKNOWN PERP DID LEAVE A SCOOTER AND A PAIR OF SHOES. PDU NOTIFIED, ECT NOTIFIED. SGT ON SCENE. NO WEAPONS, NO INJURIES. NO CAMERAS AVAILABLE. C/V ALSO STATES HE DID LEAVE BACK DOOR UNLOCKED AND NOTICED OPEN IN THE MORNING.					
No NYC TRANSIT Data for Complaint # 2021- XXXXXX					

Total Victims: 1	Total Witnesses: 0	Total Reporters: 1	Total Wanted: 0
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VICTIM: # 1 of 1	Name: [REDACTED]	Complaint#: 2021-[REDACTED]												
Nick/AKA/Maiden: UMOS: NO Sex/Type: [REDACTED] Race: [REDACTED] Age: [REDACTED] Date Of Birth: [REDACTED] Disabled? NO Is this person not Proficient in English?: NO If Yes, Indicate Language: N.Y.C.H.A Resident? NO Is Victim fearful for their safety / life? NO Escalating violence / abuse by suspect? NO Were prior DIR's prepared for C/V? NO	Gang/Crew Affiliation: NO Name: Identifiers: Will View Photo: YES Will Prosecute: YES Notified Of Crime Victim Comp. Law: NO													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">LOCATION</th> <th style="width:25%;">ADDRESS</th> <th style="width:15%;">CITY</th> <th style="width:15%;">STATE/COUNTRY</th> <th style="width:15%;">ZIP</th> <th style="width:20%;">APT/ROOM</th> </tr> <tr> <td>HOME-PERMANENT</td> <td>[REDACTED]</td> <td>[REDACTED]</td> <td>NEW YORK</td> <td></td> <td></td> </tr> </table>			LOCATION	ADDRESS	CITY	STATE/COUNTRY	ZIP	APT/ROOM	HOME-PERMANENT	[REDACTED]	[REDACTED]	NEW YORK		
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HOME-PERMANENT	[REDACTED]	[REDACTED]	NEW YORK											
Phone #: HOME: [REDACTED] CELL: [REDACTED] BUSINESS: Not Provided/Unavailable BEEPER: Not Provided/Unavailable E-MAIL: Not Provided/Unavailable														
Action against Victim:	Actions Of Victim Prior To Incident: AT HOME SLEEPING.													
Victim Of Similar Incident: NO	If Yes, When And Where													

REPORTER: # 1 of 1	Name: [REDACTED]	Complaint #: 2021-[REDACTED]												
Nick/AKA/Maiden: Sex/Type: [REDACTED] Race: [REDACTED] Age: [REDACTED] Date Of Birth: [REDACTED] Is this person not Proficient in English?: NO If Yes, Indicate Language:	Gang/Crew Affiliation: NO Name: Identifiers: Relationship To Victim:													
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PROPERTY:	Complaint #2021-[REDACTED]	Lost/Stolen/Found: STOLEN																																													
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EVIDENCE:						Complaint # 2021-[REDACTED]																	
Evidence Collected?: YES	Evidence Collection Team/Crime Scene Requested?: YES	ECT Responded?: YES	ECT Run#: 748	Crime Scene Responded?: NO	Crime Scene Number:																		
Evidence Invoice #																							
No IMEI Data for Complaint # 2021-[REDACTED]																							
NOTIFICATIONS / ADDITIONAL COPIES:						Complaint # 2021-[REDACTED]																	
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Reporting/Investigating M.O.S. Name: POM [REDACTED]	Tax #: [REDACTED]	Command: 070 PCT	Rep.Agency: NYPD
Supervisor Approving Name: SGT [REDACTED]	Tax #: [REDACTED]	Command: 070 PCT	Rep.Agency: NYPD
Complaint Report Entered By: [REDACTED]	Tax #: [REDACTED]	Command: 070 PCT	Rep.Agency: NYPD
Signoff Supervisor Name: SGT [REDACTED]	Tax #: [REDACTED]	Command: 070 PCT	Rep.Agency: NYPD
END OF COMPLAINT REPORT # 2021-[REDACTED]			